

101195-00

## TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/980972

INTERNATIONAL APPLICATION NO.  
PCT/DE00/01416INTERNATIONAL FILING DATE  
2 May 2000 (02.05.00)PRIORITY DATE CLAIMED  
30 April 1999 (30.04.99)

## TITLE OF INVENTION

Agent for Gene Therapy and for the Prevention of Metastases, as Well as for the Gene Therapy of Tumors

## APPLICANT(S) FOR DO/EO/US

Karsten Brand, Andrew Baker, Michael Strauss

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4.  The US has been elected by the expiration of 19 months from the priority date (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11.  A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12.  A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 20 below concern document(s) or information included:

13.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15.  A **FIRST** preliminary amendment.
16.  A **SECOND** or **SUBSEQUENT** preliminary amendment.
17.  A substitute specification.
18.  A change of power of attorney and/or address letter.
19.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20.  A second copy of the published international application under 35 U.S.C. 154(d)(4).
21.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22.  Certificate of Mailing by Express Mail
23.  Other items or information:

## Applicant Data Sheet

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/980972

INTERNATIONAL APPLICATION NO.

PCT/DE00/01416

ATTORNEY'S DOCKET NUMBER

101195-66

24. The following fees are submitted:.

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :**

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....	\$1040.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....	\$890.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....	\$740.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....	\$710.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....	\$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$890.00

Surcharge of **\$130.00** for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). 20  30

\$130.00

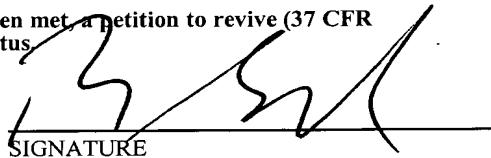
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	51 - 20 =	31	x \$18.00	\$558.00
Independent claims	6 - 3 =	3	x \$84.00	\$252.00
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,830.00</b>
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$915.00
<b>SUBTOTAL =</b>				<b>\$915.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).				<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 + \$130.00
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,045.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/> \$0.00
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,045.00</b>
				<b>Amount to be: refunded</b> \$
				<b>charged</b> \$

- A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- Please charge my Deposit Account No. 14-1263 in the amount of \$1,045.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1263 A duplicate copy of this sheet is enclosed.
- Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

the correspondence address associated with Customer Number 27387



SIGNATURE

Bruce S. Londa

NAME

33-531

REGISTRATION NUMBER

October 29, 2001

DATE

## CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Karsten Brand et al.

Docket No:  
097980972  
101195-66

Serial No.	Filing Date	Examiner	Group Art Unit
TBA	October 29, 2001	TBA	TBA
Invention: Agent for Gene Therapy and for the Prevention of Metastases, as Well as for the Gene Therapy of Tumors			

I hereby certify that this U.S. national stage application of PCT/DE00/01416 and enclosures  
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on October 29, 2001  
(Date)

Kathleen D. Monical

(Typed or Printed Name of Person Mailing Correspondence)

  
(Signature of Person Mailing Correspondence)

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